

Tough call for turf field

Court ruling means CPC funds can't apply to artificial turf field

By JUSTIN GRAEBER, CLIPPER EDITOR
JUSTIN@DUXBURYCLIPPER.COM

It was only a few weeks ago that the School Committee was presented with a check representing the cost of a new artificial turf field at the high school. It was the culmination of several years of fundraising. However, a new ruling from the state's highest court may set the project back.

The Massachusetts Supreme Judicial Court recently handed down a ruling in the case of Seideman et al v. the City of Newton that says Community Preservation Funds cannot be used to improve existing parks, only the creation of new parks and recreation areas.

continued on page 11

Court ruling means CPC funds can't apply to artificial turf field

continued from page one

Duxbury's Town Meeting voters approved the use of CPC funds for the artificial turf field at the high school in 2007, which would replace the existing natural grass field.

On Oct. 8, turf committee member Peter Naton told the School Committee the \$1.1 million needed for the field had been raised, and the work would be completed by spring. The bids on the project were due Oct. 29 — five days after the Supreme Judicial Court's ruling.

READ MORE

To download a copy of the SJC decision that affected the artificial turf project, visit duxburyclipper.com and click on document vault.

This timing is what prevents Duxbury from using the CPC funds, despite the 2007 Town Meeting vote, according to Duxbury Town Counsel Robert Troy.

Troy wrote in a memo to Town Manager Richard MacDonald; that the Town Meeting article said the money wouldn't be expended until

gifts and donations equal to 66 and 2/3 percent of the project had been received.

"This condition has only been recently met," wrote Troy. "It is my opinion as Town Counsel that the appropriation has not been expended and that it can no longer be lawfully expended unless the General Court grants relief from the Oct. 24, 2008 ruling of the Supreme Judicial Court."

"There are a number of people who worked really hard on trying to get this to go," said Duxbury High School Athletic Director Thom Holdgate. "To be this close and to have it pulled away ... it's obviously disappointing."

The current high school field was re-sodded by the Department of Public Works over the summer. Holdgate said the issue is drainage.

"The problem with the field goes back to when it was originally built," he said. "The fill isn't very good."

He said that rebuilding the field completely wouldn't be a cost effective option for the school district.

"The amount of money that would have to be put into that field ... is probably beyond our means, and you nev-

er know what it's going to do," he said.

Holdgate said that an artificial field would be more durable, and he could open up the field's use to other groups.

"I'd like that to be the centerpiece of the athletic department," he said. "But unless something changes, we have to say no to everybody ... we have to baby that field."

Just this past weekend, Holdgate denied the use of the field to a Pop Warner group, worried about flooding and tearing up the field.

The district does have other fields that have better drainage, but Holdgate said they aren't adequate for sports like soccer or football.

Holdgate said the PRIDE committee is looking at their options and aren't ready to give up on the field quite yet. Troy noted in his memo that there is pending litigation on Beacon Hill that may change what CPC funds can be used on.

"The Town may elect to seek relief through a Special Act of the General Court," Troy wrote. "I leave this decision to the Board of Selectmen."